

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DIAMOND JARAMILLO,

Plaintiff,

v.

CIV. NO. 1:20-cv-01286-RB-KRS

**Officer CHRISTOPHER PADILLA,
And Captain ROBERT GONZALES,
In their individual capacities,**

Defendants.

**STIPULATED PROTECTIVE ORDER GRANTING UNOPPOSED MOTION FOR
PROTECTIVE ORDER REGARDING THE PERSONNEL FILE OF
DEFENDANT CHRISTOPHER PADILLA AND NMCD OPS
INVESTIGATIVE REPORTS**

THIS MATTER came before this Court on the Defendant, Christopher Padilla's (*hereinafter* referred to as "Defendant Padilla"), Unopposed Motion for Protective Order Regarding the Personnel Files for Defendant Christopher Padilla and NMCD OPS Investigative Reports. This Court reviewed the Motion and arguments made therein and has considered that the parties to this litigation do not oppose this Motion. Accordingly, this Court finds that Defendant Christopher Padilla's Unopposed Motion for Protective Order Regarding the Personnel File for Defendant Christopher Padilla and NMCD OPS Investigative Reports is well-taken and should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

A. Defendant Padilla's Unopposed Motion for Protective Order Regarding the Personnel File for Defendant Christopher Padilla and NMCD OPS Investigative Reports is hereby granted.

B. Defendant Padilla will produce to Plaintiff his NMCD personnel file and all NMCD OPS investigative reports related to allegations against him within ten (10) days of this Court's entry of this Stipulated Protective Order.

C. Plaintiff's attorneys shall hold Defendant Padilla's personnel file and the OPS investigative reports described in the Unopposed Motion for Protective Order Regarding the Personnel File for Defendant Christopher Padilla and NMCD OPS Investigative Report in the strictest of confidence, store the files securely, and use the files solely for the purposes of this litigation.

D. Plaintiff's attorneys shall not disclose or produce the above-listed files to any non-party at any time except: for Plaintiff's agents, attorneys, or investigators in this litigation, including experts retained or consulted by Plaintiff; for use as exhibits at trial or at depositions in this matter; or by Plaintiff to medical or mental-health or other healthcare providers in the course of receiving treatment.

E. Plaintiff's attorneys shall limit access to the confidential files in their possession to those qualified persons (e.g., attorneys, associates, staff/employees who are working on the litigation, and Plaintiff's experts) who are authorized to receive the files under this Order. Plaintiff's attorneys shall take reasonable measures to ensure that said qualified persons are made aware of the terms of the Protective Order and agree to abide by its terms and limitations.

F. Plaintiff's attorneys shall purge all copies of the personnel file of Defendant Padilla and the OPS investigative reports from Plaintiff's attorneys' files at the resolution of the lawsuit.



The Honorable Kevin R. Sweazea
United States Magistrate Judge

SUBMITTED BY:

ROBLES, RAEL & ANAYA, P.C.

By: /s/ Douglas E. Gardner
Douglas E. Gardner
Attorney for Defendant Padilla
500 Marquette Ave., NW, Suite 700
Albuquerque, New Mexico 87102
(505) 242-2228
(505) 242-1106 (facsimile)
douglas@roblesrael.com

APPROVED BY:

/s/ Approval received via email on 5.4.21
Laurie A. Vogel
Laurie A. Vogel, Attorney at Law
PO Box 30581
Albuquerque, NM 87190
(505) 256-0576
lavatty@aol.com
Attorney for Defendant, Robert Gonzales

/s/ Approval received via email on 5.4.21
Justine Fox-Young, P.C.
201 12th St. NW
Albuquerque, NM 87112
P: 505-796-8268
justine@foxyounglaw.com

And

Erlinda Johnson
620 Roma Ave. NW
Albuquerque, NM 87102
P: 505-792-4048
F: 505-792-7268
erlinda@erlindajohnsonlaw.com
Attorneys for Plaintiff